

REMARKS

This amendment is filed in response to the final Office Action dated June 6, 2003. This application should be allowed and the case passed to issue.

No new matter is introduced by this amendment. The specification is amended to correct several informalities. "Oppressed" and "oppresses" are changed to "pressed" and "presses." It is clear from the specification as originally filed that "pressed" and "presses" were misrepresented "oppressed" and "oppresses."

Amended claim 1 and new claims 8 and 9 are supported by pages 10-11 of the specification and the accompanying figures. The amendment to claim 6 merely corrects an informality. New claim 10 is supported by originally filed claim 2.

Claims 1-7 are pending in this application. Claims 1-7 are rejected. New claims 8-10 are introduced.

Drawings

The drawings were objected to by the Draftsperson. In response to this objection, replacement sheets of drawings are attached.

Claim Rejections Under 35 U.S.C. § 112

Claim 6 is rejected under 35 USC § 112, second paragraph, as indefinite because of insufficient antecedent basis for the recited "the spacer". This rejection is traversed, and reconsideration and withdrawal thereof respectfully requested.

Claim 6 is amended to change "the spacer" to "a spacer."

Claim Rejections Under 35 U.S.C. § 103

Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsunaga et al. (U.S. Patent No. 5,949,502) in view of Burke (U.S. Patent No.

5479,285). This rejection is traversed, and reconsideration and withdrawal thereof respectfully requested. The following is a comparison between the instant invention as claimed and the cited prior art.

The distinguishing feature of claim 1 is that the cushion material of frame-like form is mounted inside the fitting portion between the case body and the LCD cover. The cushion material surrounds the outside edge of the LCD element and holds the LCD element by fitting the LCD element into the cushion material. The cushion material has an outer surface opposing the fitting portion. The LCD cover is integrated with the case body by fitting the LCD element into the cushion material and the cushion material is constituted such that the fitting portion between the case body and the LCD cover is pressed by the fact that the LCD element is fitted into the cushion material and presses the cushion material against to the fitting portion, thereby strengthening the fitting of the fitting portion between the case body and the LCD cover.

The Examiner asserts that Matsunaga (Figs. 26 and 27) substantially discloses the claimed liquid crystal display device including the liquid crystal display element PNL, substrates SUB 1 and SUB 2, case body MCA, LCD cover SHD, and cushion material GC1 and GC2. The Examiner acknowledges that Matsunaga does not teach that the cushion material surrounds the outside edge of the LCD element. The Examiner relies on Burke's teaching of an elastic gasket surrounding an LCD element to conclude that it would have been obvious to surround the Matsunaga LCD with an elastic gasket to provide an isotropic shock mounting system.

Matsunaga and Burke, whether taken alone, or in combination, do not suggest the claimed LCD device. Neither Matsunaga nor Burke suggest the cushion material

structure that presses the fitting portion between the case body and an LCD cover by fitting an LCD element into the cushion material.

In order to establish *prima facie* case of obviousness the combination of references must teach each claimed limitation. Neither Matsunaga nor Burke suggest the claimed cushion material that presses the fitting portion between the case body and an LCD cover by fitting an LCD element into the cushion material. Therefore, claim 1 is not obvious in view of the combination of Matsunaga and Burke.

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge readily available to one of ordinary skill in the art. *In re Kotzab*, 217 F.3d 1365, 1370 55 USPQ2d 1313, 1317 (Fed. Cir. 2000); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992); *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). There is no suggestion in the cited prior art to modify the device of Matsunaga to include a cushion material that presses the fitting portion between a case body and LCD cover by fitting an LCD element into the cushion material, to thereby strengthen the fitting of the fitting portion between the case body and the LCD cover, as required by claim 1.

Claims 3-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsunaga and Burke and further in view of Park (U.S. Patent No. 5,949,642). This rejection is traversed, and reconsideration and withdrawal thereof respectfully requested. The following is a comparison between the invention as claimed and the cited prior art.

An aspect of the invention, per claim 3, is a liquid crystal display device comprising a liquid crystal display element, with a front main surface and a back main surface, in which a liquid crystal material is interposed between two opposed insulating substrates. Hinge members are fixed to the case body and support the case body and the LCD cover combined with the case body in a rotational state. Pawl portions are provided in the LCD cover and extend to a space between the case body and the hinge members to engage with the hinge members.

The Examiner acknowledges that Matsunaga does not disclose that the pawl portions extend to a space between the case body and the hinge members to engage with hinge members, nor that the pawl portions and the hinge members have a bolt means and a protrusion means. The Examiner asserts that Park discloses a hinge assembly bracket (300) (pawl), a hinge member (320), a pivot bracket (330) rotatably connected, a spacer (314), a bolt hole (319), and a bolt (360). The Examiner concludes it would have been obvious to adapt the hinge assembly and mounting structure of Park for improved hinge assembly connection of the display to the housing that decreases load density on the top case when the visual display is rotatably moved relative to the main body and structurally sound rotatable connection to decrease the concentration of stress in specific areas.

Contrary to the Examiner's assertion, Park does not suggest the claimed pawl. The Examiner asserted pawl (300) is the hinge assembly. Park does not suggest the claimed pawl portions provided in the LCD cover and extending to a space between the case body and the hinge members, to engage with the hinge members as required by claim 3. Park does not suggest the pawl portions provided in the LCD cover in portions where the hinge member is mounted, and fixed to the case body together with the hinge

member by a bolt means, as required by claim 4. The portion of the hinge assembly of Park in the LCD cover and extending to a space between the case body and the hinge members, is the pivot, not a pawl, as required by claim 3. Park teaches fixing the hinge assembly to the case body. Park does not disclose a pawl portion fixed to the case body together with the hinge member.

In order to establish *prima facie* case of obviousness the combination of references must teach each claimed limitation. Because the combination of Matsunaga, Burke, and Park do not suggest the claimed pawl portion, the combination does not suggest each claim limitation. Therefore, the claimed LCD device is not obvious in view of Matsunaga, Burke, and Park.

The dependent claims further distinguish the claimed invention. For example, the Examiner apparently gives little weight to the claim 5 limitation that the LCD cover and the case body are constituted such that the hinge can be mounted after the LCD cover and the case body have been integrated. The Examiner considers claim 5 to be a product-by-process claim. However, the Examiner cannot ignore claim limitations by merely asserting that the claim is a product by process claim. This limitation further distinguishes the invention over the cited prior art because to be able to mount the hinge member after the LCD cover and case have been combined requires an arrangement of the hinge, pawl, LCD cover, and case body not suggested by the cited prior art.

Claim 6 further requires that the hinge member and the pawl portion of the LCD cover are fixed between the case body and the spacer. Claim 7 further requires that a protrusion portion is provided on the case body, the pawl portion and the hinge member are fitted with the protrusion portion, and the bolt means is inserted through the spacer

and screwed into the protrusion portion. The cited prior art does not suggest the claimed LCD with these additional limitations.

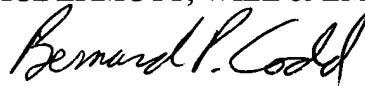
Applicant submits that new claims 8-10 are allowable for at least the same reasons their respective independent claims, and further distinguish over the cited prior art.

In light of the Amendments and Remarks above, this application should be allowed and the case passed to issue. If there are any questions regarding this application, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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